

for mayor or some other public position. She has been a contributor, a volunteer and a doer in a wide range of activities that have certainly benefited her community. But through such efforts as on the White House Conference on Aging and others, she has not limited her scope and her influence to the wonderful community of Miramar but has attempted to serve this entire nation.

So it is with a great deal of pride that I rise today to put forward this bill and to commend, as I said, the gentleman from Florida (Mr. HASTINGS) and the entire Florida delegation who have joined in the cosponsoring of the bill, and I urge all of our colleagues to join us in supporting this initiative.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, first let me thank the gentleman from New York (Mr. MCHUGH) for his warm and generous comment. I am deeply appreciative. Additionally, I would like to thank our full committee chairman, the gentleman from Indiana (Mr. BURTON), for assisting my office in expediting this matter before the end of this portion of our session.

I would also like to thank the gentleman from the District of Columbia (Ms. NORTON) again for giving me the privilege of going forward today in this regard, as well as the ranking member, the gentleman from Pennsylvania (Mr. FATTAH), who has been extremely helpful to us.

Mr. Speaker, I rise today in strong support of H.R. 3985. I introduced this bill earlier in the year to name a post office in my hometown of Miramar, Florida, for Vicki Coceano. The city commission of the City of Miramar passed a resolution overwhelmingly supportive of this measure before I undertook any action at all. Additionally, my colleague, the gentleman from Florida (Mr. DEUTSCH), in whose district this facility actually exists, was also extremely supportive.

For me, it becomes a moment of personal privilege. I am now in my fourth term here in the United States Congress. And I have had the good fortune of doing a significant number of things on behalf of the people that I represent in the district that I am privileged to serve. And I would hope on behalf of this Nation and indeed the entire Earth that some of my actions have been helpful. But none gives me any greater pride than to offer this measure today for indeed as is the case with a lot of Members who come forward with legislation, today it is a point of real privilege for me because Vicki Coceano is a person that I have known for 38 years. And I have known her to be more than forthright as a citizen. In the days of segregation, it was Vicki Coceano that

spoke out frequently with reference to matters of this kind.

So, Mr. Speaker, and I would also say to my dear friends in South Florida, this honor is altogether fitting and appropriate.

In the few minutes that I have, let me say a little more about a wonderful woman in South Florida, Vicki Coceano, that the gentleman from New York (Mr. MCHUGH) so rightfully brought up, Mayor Vicki. Mayor Vicki, as she is affectionately known by some, Vicki by some of us, and has preferred it that way, has resided in South Florida for more than 40 years and has generously given both her time and talents throughout that period to make Broward County, which its largest city is Fort Lauderdale but its proudest city is Miramar, during that period of time to make it a better place to live and work.

She was elected to serve as a Miramar city commissioner in 1977 and elected mayor in 1989, serving the people of Miramar for more than 20 years, indeed all of its existence. There is one who has departed, former Mayor Calhoun, who I know is looking down on us today as we take this action and is proud of the fact that Vicki is being a recipient of this honor.

Vicki has also served on many boards at the Federal, State and county levels, including the Blue Ribbon Committee for Broward County Schools, the Area Agency on Aging and the White House Conference on Aging.

Above all, Vicki has always been interested in our Nation's youth, recognizing that they are tomorrow's leaders and that our future rests in their hands.

She spearheaded a successful fundraising campaign to build a youth center and has since been honored with a Spirit of Life Humanitarian Award.

Though struggling with illness at this time, Mayor Vicki is still very much involved with the planning and zoning board; serves on the executive committee of the Area Agency on Aging and is a volunteer at the Broward County Humana Hospital.

For Vicki Coceano, civil service is part of a life blended with optimism, fervency and genuine care for those she serves. Her commitment has both shaped her legacy and the life of Miramar's residents.

Coceano was recently awarded the Spirit of Life Humanitarian Award at a banquet in which the proceeds will benefit the Mayor Vicki Coceano Cancer Research Fellowship at the National Medical Center and Beckman Research Institute.

In addition, her name brandishes both the Broward County Hall of Fame and the Broward County Women's Hall of Fame.

The new post office in Miramar will service the transactions and connections people forge each day. If we can add Mayor Vicki's name to this building, it would certainly be fitting for a leader who understands the power of

communicating the language of change and articulating its power through her actions, commitments and spirit.

Mr. Speaker, I am proud that all 22 of my Florida colleagues have cosponsored this bill with me, and I am equally proud that Senator BOB GRAHAM has introduced an identical bill in the Senate.

Clearly, Floridians know and wish to honor Vicki Coceano. I am delighted to see this honor bestowed today upon a delightful woman that has served us so much.

Mr. Speaker, I yield back the balance of my time.

Mr. MCHUGH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in conclusion, let me again thank the gentleman from Florida (Mr. HASTINGS) for bringing to us the name of an individual, as we heard in some detail, who really does bespeak what is good and right about this country and, more importantly, good and right about its people. We are indebted to him and to all of his colleagues who joined with him in supporting it.

Finally, I would urge of all of our Members here today to support us in passing this very worthy bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the bill, H.R. 3985, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read:

"A bill to redesignate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar, Florida, as the 'Vicki Coceano Post Office Building'."

A motion to reconsider was laid on the table.

SENSE OF HOUSE REGARDING NATIONAL SECURITY POLICY AND PROCEDURES

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 534) expressing the sense of the House of Representatives that the recent nuclear weapons security failures at Los Alamos National Laboratory demonstrate that security policy and security procedures within the National Nuclear Security Administration remain inadequate, that the individuals responsible for such policy and procedures must be held accountable for their performance, and that immediate action must be taken to correct security deficiencies.

The Clerk read as follows:

H. RES. 534

Whereas two computer hard drives containing a large quantity of sensitive classified nuclear weapons data at the Department of Energy's Los Alamos National Laboratory, Los Alamos, New Mexico, were recently

missing for an undetermined period of time, exposing them to possible compromise;

Whereas the President's Foreign Intelligence Advisory Board, in its report dated June 1999 on security problems at the Department of Energy, concluded that "the Department of Energy and the weapons laboratories have a deeply rooted culture of low regard for and, at times, hostility to security issues";

Whereas in response to longstanding security problems with the nuclear weapons complex and to recommendations made by the President's Foreign Intelligence Advisory Board in that report, Congress enacted the National Nuclear Security Administration Act (title XXXII of Public Law 106-65) to establish a semi-autonomous National Nuclear Security Administration with responsibility for the administration of programs for the national security applications of nuclear energy;

Whereas the Special Oversight Panel on Department of Energy Reorganization of the Committee on Armed Services of the House of Representatives concluded in February 2000 that the Department's plan to implement the provisions of that Act "taken as a whole appears to allow continued DOE authority, direction, and control over the NNSA and retain current DOE management, budget, and planning practices and organizational structures";

Whereas the Secretary of Energy has recognized the need to address nuclear weapons security problems within the Department of Energy and has sought to make improvements;

Whereas the Secretary of Energy, in fulfilling the duties and functions of the Under Secretary for Nuclear Security, and the Director of the Office of Security and Emergency Operations of the Department of Energy, in serving as the Chief of Defense Nuclear Security of the National Nuclear Security Administration, were responsible for nuclear weapons security policies and implementation of those policies while the computer hard drives were missing;

Whereas the effective protection of nuclear weapons classified information is a critical responsibility of those individuals entrusted with access to that information; and

Whereas the compromise of the nuclear weapons data stored on the computer hard drives, if confirmed, would constitute a clear and present danger to the national security of the United States and its allies: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the security failures at Los Alamos National Laboratory revealed to Congress on June 9, 2000, demonstrate the continued inadequacy of nuclear weapons security policy and procedures within the National Nuclear Security Administration and at facilities of the Administration;

(2) individuals responsible for the implementation, oversight, and management of nuclear weapons security policy and procedures within the Administration and its facilities must be held accountable for their performance; and

(3) the Administrator for Nuclear Security must take immediate action to improve procedures for the safeguarding of classified nuclear weapons information and correct all identified nuclear weapons security deficiencies within the Administration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. SPENCE).

GENERAL LEAVE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 534, the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SPENCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, 5 weeks ago the Department of Energy informed Congress that two computer hard drives containing a large quantity of classified nuclear weapons data were missing from the Los Alamos National Laboratory and had been missing for at least 6 weeks. This breach of security was just the last in a long and sorry history of lax security at our nuclear weapons laboratories.

In direct response, Congress last year created a semi-autonomous agency, the National Nuclear Security Administration, and charged it with the responsibility to better manage the Nation's nuclear weapons complex.

Secretary of Energy Bill Richardson opposed this new organization from the beginning and has sought to undermine the implementation of NNSA at every step. Contrary to congressional direction, he declared himself as the administrator for nuclear security and he dual hatted his own chiefs of security and counterintelligence to serve in these positions for both the DOE and NNSA.

While this arrangement is directly counter to the law, it leaves no doubt as to who was running the new administration and who was responsible for security at the labs in June.

In fact, Secretary Richardson and the senior DOE leadership told Congress repeatedly that the security problems at the nuclear weapons laboratories were being fixed. In May of 1999, Secretary Richardson stated that the safeguards of national secrets have been dramatically strengthened and improved.

On March 2, 2000, Secretary Richardson testified to the Committee on Armed Services, quote, "that we have reached a point where we have very strong security procedures," unquote; and, quote, "there is no longer a culture of lax security. That has ended," unquote.

Furthermore, the Secretary's independent oversight office recently reviewed security practices at Los Alamos National Laboratory and stated that they were, quote, "first class," unquote.

Of course, Mr. Speaker, this latest episode at Los Alamos has demonstrated that these assertions were not true. Through briefings and hearings, the Committee on Armed Services determined that security procedures at the labs continued to be unacceptably lax and ineffective. We learned that no log was kept of the individuals who entered the vault where

the hard drives were stolen; that the Department was not even aware of how many people have access to the vault; and that the vault was inadequately secured.

□ 1530

I simply cannot understand how any reasonably comprehensive review of a laboratory's security procedures would conclude that such procedures were adequate, much less first class.

Mr. Speaker, H. Res. 534 appropriately expresses concern by the House of Representatives over security matters within the national nuclear laboratories and calls for immediate corrective action. It also expresses the view that those responsible for these serious lapses in security must be held accountable.

The senior leadership of the Department chose to accept responsibility for the management of NSA and eagerly and erroneously claimed credit for improving security. They must now accept responsibility for their failures as well.

Mr. Speaker, I urge my colleagues to support H. Res. 534.

Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of this resolution, which is a resolution expressing the sense of the House concerning recent security lapses at the Energy Department, particularly at the Los Alamos National Laboratory.

On June 9 of this year, the Committee on Armed Services was notified by the Department of Energy that two computer hard drives containing classified, restricted data were missing from a document storage vault located in the weapons design "X Division" at the Los Alamos National Laboratory. The information on these hard drives relates to the development, design, and manufacture and use of nuclear weapons. In a very real sense, the information on these computer disks represents the "keys to the kingdom." Fortunately, the missing hard drives have been recovered, but we still do not know whether they were simply misplaced or whether they were copied or otherwise used by those with hostile intentions toward the United States.

The security lapses that led to the apparently temporary loss of the two computer disks containing highly sensitive nuclear weapons secrets are inexcusable. I am especially distressed that a culture continues to exist at the Los Alamos National Laboratory that relegates security concerns to secondary importance. Something must be done to change that culture. I applaud Secretary Richardson's efforts to improve security and get the Department of Energy on the right track; but obviously, the steps he has taken so far are somewhat inadequate to ensure that our nuclear secrets are adequately safeguarded.

The protection of nuclear weapons information is a critical responsibility

for all of those with access to that information. The compromise of the data on the missing hard drives could seriously jeopardize the national security of our country and of our allies.

Mr. Speaker, the resolution before the House today, which the gentleman from South Carolina (Mr. SPENCE) and I have cosponsored, expresses the sense of the House that the security failures at the Los Alamos National Laboratory show that our existing nuclear weapons security policy is inadequate, that the individuals responsible for implementing that security policy should be held accountable, and that the administrator of the Nuclear Security Administration must take immediate action to improve our procedures concerning the safeguarding of nuclear weapons information.

It is my sincere hope that Secretary Richardson and others with the responsibility for security matters within the Department will heed the words of this resolution and take prompt steps to ensure that we do not again suffer security breaches such as that involving the loss of hard drives at Los Alamos. Our Nation simply cannot afford lax security when it comes to our nuclear secrets.

Mr. Speaker, I urge my colleagues to support H. Res. 534.

Mr. Speaker, I reserve the balance of my time.

Mr. SPENCE. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), who is chairman of the Special Oversight Panel of the Department of Energy Reorganization.

Mr. THORNBERRY. Mr. Speaker, I appreciate my chairman yielding me this time.

Mr. Speaker, I think it is perfectly appropriate for the House to express its concern over the recent incidents at Los Alamos. A number of people in the country perhaps have lost sight of the fact that nuclear weapons continue to constitute the central element of this country's security apparatus around which the rest of our defense efforts support, and to have an incident like this at Los Alamos I think is both shocking and frustrating for a number of Members. It is shocking because once we get into some of the details, there are several common sense sort of measures that are simply not employed; and the difficulty for us is how we legislate common sense into the day-to-day activities of these facilities.

But it has also been very frustrating, because this is not an isolated incident; this is simply the latest in a long series, a long string of incidents. Last year, as the chairman mentioned, Congress, to try to stop this long string, enacted reforms in the Department of Energy which have not been implemented to the letter and spirit of the law. So there is a great sense of frustration that we continue to have security lapses while we continue to do business as usual, which has not worked, for the past 20 years.

Mr. Speaker, we have to break this stream. Recently, General John Gordon has been installed as the administrator of the Nuclear Security Administration and we need to support him to make sure that he can take the necessary action to break this string.

Mr. Speaker, this resolution includes two important points. One is that we have to hold individuals accountable, and that is exactly the principle of the reforms we passed last year, to have a clear chain of command, more like a military-style chain of command, but also a system of accountability, so that if somebody messes up, we know who to hold responsible for those lapses.

The second element here urges the administrator to take appropriate action quickly. It is appropriate for him to do so, and General Gordon is beginning to go around to all of the sites and try to get a clear picture of the strengths and weaknesses in our current nuclear weapons complex.

However, Congress cannot legislate the details of every silly thing that may cause a security lapse. It is up to the administrator, General Gordon, supported by Congress and others within the administration, to change this culture which the chairman talked about, to make the institutional reforms. That is really the answer.

So I support this resolution. I think it is an appropriate expression of the deep concern we have, but it also gets at the heart of what it is going to take to fix it.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Speaker, I thank the distinguished ranking member for yielding me this time.

I too today rise in support of House Resolution 534, which focuses attention on the recent nuclear weapons security failures at Los Alamos National Lab and calls for improvements of the current system, especially increased accountability by those in charge.

However, while I am in strong support of the need to improve efforts to protect and preserve our national security, these efforts should not impinge on the civil rights for all Americans, especially those of Asian and Pacific Islander ancestry. The security procedures at the Los Alamos National Lab have had a significant impact on the Asian-American community. The case of Wen Ho Lee, a Chinese American scientist who was arrested last year for mishandling classified data at Los Alamos, clearly indicates the nature of these effects. The effects of Lee's case on other Asian-American scientists was immediate and of sufficient concern for the Department of Energy to take action to address charges of racial profiling and treatment of Asian-Pacific Americans in DOE national labs.

In Sunday's New York Times, James Glanz reported several APA groups have called to boycott the labs and are urging Asian and Asian-American scientists not to seek employment there.

I do not support this policy; but while I do not support it, it is important to note the impact of this case on the recruitment and retention of Asian-Pacific Americans in the labs. The number of Asian applicants decreased from an average of 28 in 1998 and 1999 to three in the first half of the year 2000. And with Sandia and Livermore laboratories included, the percentage of postdoctoral appointments of Asian Americans fell from 14 percent in 1998 to half this year. These declines are disturbing, since Asian-Americans are a huge source of talent and have contributed more in a disproportionate way to the security of this country, and they earn over a quarter of all Ph.D.s in science and technology at American universities each year.

The charges of racial profiling and discriminatory investigation at hand illustrate just how much security procedures have had an effect on the Asian-Pacific American community. All employees should be held accountable, regardless of race or ethnicity, but no one should be held additionally responsible either. Let us make sure that our nuclear weapons security and any subsequent activities in the labs in the name of security remain the focus of this resolution. Let us make sure that political posturing or advantage does not intimidate this effort, and let us make sure that a commitment to justice and fairness for all citizens is not sacrificed in the pursuit of national security.

Mr. Speaker, I include the following article for the RECORD:

[From the New York Times, July 16, 2000]

AMID RACE PROFILING CLAIMS, ASIAN-AMERICANS AVOID LABS
(By James Glanz)

Asian and Asian-American scientists are staying away from jobs at national weapons laboratories, particularly Los Alamos, saying that researchers of Asian descent are systematically harassed and denied advancement because of their race.

The issue has long simmered at the laboratories, but it came to a boil last year with the arrest of Dr. Wen Ho Lee, who is accused of mishandling nuclear secrets at Los Alamos. Though officials vehemently deny it, many Asian-Americans said Dr. Lee, a naturalized citizen born in Taiwan, was singled out because of his ethnicity.

In any event, Asians and Asian-Americans said, security procedures implemented after Dr. Lee's arrest fall hardest on them. Since the arrest, some scholarly groups have even called for a boycott of the laboratories, urging Asian and Asian-American scientists not to apply for jobs with them.

Whether because of the calls for a boycott, the underlying claims of discrimination, or both, all three national weapons laboratories—Los Alamos, Lawrence Livermore and Sandia—have seen declines in Asian and Asian-American applicants for postdoctoral positions, according to their own statistics. Other Asian and Asian-American scientists have left voluntarily.

Los Alamos, for example, has seen the number of Asian applicants (those granted formal reviews by committees) dwindle to 3 in the first half of 2000 from an average of 28 in 1998 and 1999. The number accepting jobs at Los Alamos fell from 18 in 1998 to 9 in 1999 to 3 in the first half of 2000.

The combined acceptances of Asians and Asian-Americans at Sandia and Livermore, which compile statistics by fiscal years ending in late September, are similar to Los Alamos, falling to 3 so far in 2000 from 21 in 1998. At Los Alamos, the number of Asians applying for jobs declined in percentage as well, to 4 percent of total applications from 12 percent in 1998. Over all, postdoctoral appointments of Asian and Asian-American fell to 7 percent from 14 percent when the three laboratories, with their slightly different recordkeeping, are combined.

"To me, this is an indicator that some of the best have decided either not to apply, or even when they do apply, not to come when they're offered a position," said Dr. John C. Browne, director of Los Alamos.

The decline is troubling for two reasons. First, Asians and Asian-Americans represent a huge pool of talent—more than a quarter of all Ph.D.'s awarded in science and technology at American universities each year. Second, postdoctoral appointments, which are generally filled by researchers who have recently earned Ph.D.'s are an essential source of candidates for permanent positions. The appointments constitute "the primary means of recruiting future scientists and engineers for Los Alamos," said Jim Danneskiold, a spokesman for the laboratory.

In May, the National Science Foundation, a major source of research money, reported that "heightened security concerns" at the laboratories were hindering efforts to recruit and retain Asian and Asian-American scientists.

And last week, speaking before a panel of the House Armed Services Committee on reorganizing the Energy Department, Representative Ellen O. Tauscher, Democrat of California, referred to suspicions of racial profiling at Livermore and Sandia.

Mrs. Tauscher said there was "the sense that Asian-Americans are targeted or scapegoated as potentially coming to work at the labs because they can spy," adding that the problem "has a deleterious effect on our ability to recruit and retain."

Observers say they are not surprised by the comments.

"There's no question in my mind that the Asian-Americans are conscientiously avoiding working in Los Alamos and the other labs like the plague," said Prof. L. Ling-chi Wang, chairman of the department of ethnic studies and director of the Asian American studies program at the University of California at Berkeley.

Two organizations, the Asian Pacific Americans in Higher Education and the Association for Asian American Studies, have called for a boycott, urging Asian-Americans not to work at the laboratories.

Professor Wang, who helped organize the boycott calls, is not alone in thinking that they have contributed to the flight from the laboratories.

Dr. Browne said that an "overall black cloud" caused by the boycott was driving Asian and Asian-American scientists away, but said that he did not believe racial profiling had occurred at Los Alamos.

Still, it is difficult to say whether anger over security measures is the sole reason for the sharp drop in Asian and Asian-American applicants, particularly with laboratory budget cuts and a booming economy creating lucrative jobs in private industry. But the impact is apparent.

"The labs are falling apart," said Dr. Jonathan Medalia, a specialist in national defense at the Congressional Research Service and the author of a study on the laboratories, which he presented at a conference but has not yet delivered to Congress.

The loss of talent is most severe in computer science, Dr. Medalia said, and if it con-

tinues, could threaten the nation's ability to ensure the safety and reliability of its nuclear weapons.

He said that tightened security measures increased the losses among all ethnic groups, but that the economy and other effects contributed.

Accusations of racism have also led to formal complaints.

In December, nine Asian-American scientists and engineers at Livermore filed a discrimination complaint with the State of California that the California Department of Fair Employment and Housing is investigating.

The federal Equal Employment Opportunity Commission has also begun an investigation, said officials at the laboratory and a lawyer for the scientists.

Secretary of Energy Bill Richardson, whose agency oversees the laboratories, conceded that political pressures from Congress had created "an atmosphere of fear" among foreign-born scientists.

A year ago, Mr. Richardson named a committee to investigate complaints of racial profiling, and he appointed Dr. Jeremy Wu, a former official in the Agriculture Department's office of civil rights, as the department's ombudsman to review diversity issues and hear employee complaints. But the problems are so ingrained, scientists said, that those measures are not enough.

"For years, a lot of these things have festered, and it was typical of the Asian way to say nothing," said Kalina Wong, an American-born scientist of Chinese and Hawaiian descent who tracks inventories of nuclear materials at Livermore, and one of the employees who filed the complaint. Now, Ms. Wong said, "Pandora's Box is open."

Laboratory officials deny any systematic discrimination. If anything, they said, administrators are eager to promote members of ethnic groups.

THE COMPLAINTS—A HISTORY OF DISCRIMINATION

The new security directives do not explicitly mention Asian-Americans or any other group; moreover, Mr. Richardson accompanied the directives with a warning that they should not be seen as an excuse to question the "loyalty and patriotism" of Asian-Americans as a group.

But the directives required scientists to report "close and continuing contact" with nationals of sensitive countries—a designation that covers Russia and most countries in Asia, but few countries in Europe.

"If you have relatives in sensitive countries, you are under the microscope," said Dr. Aaron Lai, a climate researcher at Los Alamos and a naturalized citizen born in Taiwan. "Before the Wen Ho Lee case, the chance of getting promoted was very low," Dr. Lai said. But with the new rules, he said, "it's getting worse."

Joel Wong, an engineer at Livermore, who is from Hong Kong and is now an American citizen, said, "They associate foreign-born with being a threat."

The 19-member committee appointed by Mr. Richardson, issued a report earlier this year, based on interviews with workers. Its recommendations included appointing an ombudsman, as Mr. Richardson has done, and compiling data on minority groups across the department. Existing data are sketchy at best. The report also described pervasive feelings of unease and fear.

In October, the Congressional Asian Pacific American Caucus heard from several scientists who said Asian-Americans faced discrimination at the laboratories.

Ms. Wong, the Livermore scientist, told the group of a lagging salary, racially insensitive comments from officials, her removal

from sensitive projects and an unexplained erosion of authority.

"The whole Chinese spy allegation has set us back further," said Ms. Wong, whose family has been in the United States for five generations and who has worked at Livermore for more than two decades. "It seems now that there is license to do as was done to me because we Asians are potential spies."

Livermore officials said racial bias has not played a role in the treatment of scientists, either before or after the Lee case.

"There is no underlying discrimination," a Livermore spokeswoman, Susan Houghton, said. "If anything, it's the opposite. It is still very much a goal to increase minority representation in management."

In an interview, Ms. Houghton and Tommy Smith, a mechanical engineer who is the laboratory's director of affirmative action and diversity, said Livermore had established goals for increasing the numbers of Asians and other minorities in management and held a one-day workshop for employees in April. "Obviously, we can always do a better job," Ms. Houghton said.

She also noted that the investigations into discrimination claims were not proof of wrongdoing.

Los Alamos has about 7,000 employees, including 3,500 scientists, said Mr. Danneskiold, the laboratory spokesman.

Over all, Asians or Pacific Islanders make up 2.4 percent of the staff and about 4 percent of the scientists, he said.

But of 99 senior managers, only 1 is of Asian descent, Mr. Danneskiold said. And of 322 leaders of technical groups, a lower rung in management, only 3 are Asian-American.

Similar if somewhat less pronounced disparities exist at Livermore; at Sandia, the proportion of Asians in management and the laboratory are nearly the same.

Michael Trujillo, the equal employment opportunity officer at Los Alamos, also rejected the idea that Asian-Americans' relatively low representation in management was a result of bias. But Mr. Trujillo said he could not offer an explanation. "I don't think that there's an easy answer on that," he said.

THE RULES—RESPONSE THAT SOME CALLED RACIAL PROFILING

The Energy Department ombudsman, Dr. Wu, said in an interview that he believed new security rules had infringed on "individual rights and scientific freedom" and added that he hoped he could improve the situation.

He has been on the job since January, but he began visiting the laboratories last year and has already investigated several bias complaints. In two cases, involving the loss of a security clearance and the termination of a grant, rulings against Asian and Asian-American scientists have been overturned, he said.

Edward J. Curran, who directs the Energy Department's counterintelligence office, said a review almost two years ago led to increased reporting requirements for many employees and to polygraph testing of some scientists. He said the rules were intended to make intelligence officials aware of any unusual inquiries from foreign nationals and to help catch any American scientists who were spying, whatever their ethnicity.

Among the directives are two that Mr. Richardson issued last July in which scientists are required to report certain "close and continuing contact" during unclassified visits with people from countries deemed sensitive.

Dr. Al West, a security director at Sandia, said that at least one Asian-American scientist, whose fiancée was from Hong Kong,

left for a longstanding job offer in private industry "because they got tired of dealing with all the inquiries into their personal affairs" as a result of the new rule.

And Dr. Shao-Ping Chen, a physicist at Los Alamos, criticized a requirement to list all contacts and relationships with people in sensitive countries.

"Where it should stop is not easy to tell," said Dr. Chen, originally from Taiwan but now an American citizen. "If you have a big family, those people are large numbers."

Henry Tang, chairman of the Committee of 100, a group of Chinese-Americans engaged in public policy issues, said that in enforcing the new rules, security officials "are no different than a highway patrolman suspecting someone merely by virtue of their physical characteristics."

Dr. Paul D. Moore, who was the F.B.I.'s chief of Chinese counterintelligence analysis for more than 20 years and is now at the Center for Counterintelligence and Security Studies, a nongovernmental training center in Alexandria, Va., said that belief was mistaken. But Dr. Moore said that it had ultimately taken root because, in his view, the Chinese government specifically courts ethnic Chinese in the United States when looking for potential spies. As a result, he said, counterintelligence agents focus on Chinese-Americans. "It's unfair," he said, "but what are you going to do?"

THE BOYCOTT—A MIXED REACTION AMONG SCIENTISTS

As racism accusations simmer, the moves that have sparked the most discussion—and dissension—are the calls for a boycott.

Dr. Shujia Zhou, who left Los Alamos last year, said, "The Asian people feel hit hard."

Dr. Zhou published research in journals like *Science* and *Physical Review Letters* but said he left the laboratory because officials made continuing his work difficult, revoking his computer access, for example, and because the atmosphere had soured for Asians.

He easily found another job, Dr. Browne, the Los Alamos director, said that revoking computer privileges for some Asian scientists was an "unfortunate" overreaction and that fairer procedures had been put in place.

The calls for a boycott have generated mixed reactions at the laboratories. Dr. Manvendra K. Dubey, a Los Alamos scientist and chairman of its Asian-American Working Group, said he opposed a boycott "because if we disappear from within, we will have no voice." Some say the heightened sensitivity to race may eventually help the laboratories.

But for now, the security concerns about Asian countries, the lack of data on where and how Asian-American scientists work, and the near-absence of Asians in upper ranks are hindering progress at the laboratories, many Asian-American scientists say.

Perhaps more pernicious, they add, is the idea, prevalent among some Americans of European descent, that rational scientists must be immune to ordinary racial bias. That visceral difference in viewpoint may pose the most elusive but enduring barrier to improvements, some Asian scientists say.

"I think it's hard for a white person to appreciate the bias," said Dr. Huan Lee, a Chinese-American scientist at Los Alamos.

Mr. SPENCE. Mr. Speaker, I have no further speakers at this time.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am very pleased to be speaking right after the delegate from

Guam, because I very much agree with the points he made.

As I read the resolution, I do not disagree with much of what it says, but I am troubled by the climate that brought it forward and by the climate I think it will exacerbate.

First, I believe there has been a substantial exaggeration of the threat to national security that has so far occurred from mistakes made at Los Alamos. I do not believe that we have any showing that America's security has been, in fact, jeopardized by the errors that have happened. I also think that we are likely to see our security jeopardized if we overreact in a way that drives first-rate scientists away from participating in the national security enterprise, and I fear we are coming close to that point.

There is, after all, a tension between security and the kind of intellectual freedom and creativity that is necessary for science to flourish. Of course, we must not sacrifice security, but neither can we focus only on security and disregard the negative impact an excessively harsh and rigid regime can have on those scientists who especially today have many other choices. They do not have to come to work for the Federal Government. They do not have to come to work in these laboratories. If we make the mistake of treating them as perspective spies and criminals, we drive them away.

I must say I am especially concerned about the anti-Asian-American impact of some of these efforts. I, like the gentleman from Guam, was disturbed to read in *The New York Times*, in effect, admissions by some of those concerned with security that there was, in fact, an anti-Asian bias. Indeed, I was interested to see when the Federal Government was forced to produce its potential list of countries with whom Wen Ho Lee may have dealt that it was clear that his own ethnicity was irrelevant to this. Even in the allegations, it was not a case of some ideological or homeland betrayal; the allegation is that Dr. Lee was a man afraid of losing his job and he may have behaved improperly in pursuit of another job with a range of countries. I have no knowledge of these accusations, and I obviously should not and would not talk about them. But it is interesting to say that even in this most prominent case, no allegation that his ethnicity and his being of Chinese ancestry was at all relevant.

Yes, it is important for us to preserve security. It is also important for us not to exaggerate and promote fear because there has not been any showing that our security has, in fact, been damaged; and it is especially important to avoid even the hint of prejudice against our Asian-American fellow citizens. We have had too many cases in American history in which Asian-Americans have been singled out and in every single one of them they have been shown to be unfair.

So if this resolution goes forward, it in and of itself does no harm. But the

climate that brought it forward and the climate it may produce must be resisted.

Mr. SKELTON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

□ 1545

Mr. SPENCE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY).

Mr. THORNBERRY. Mr. Speaker, I just want to briefly comment on some of the things we have heard here on the floor.

The first thing is, of course, there is nothing in this resolution which promotes or in any way encourages the sorts of concerns that both the gentlemen have talked about. Of course, none of us want to do that.

In fact, Mr. Speaker, I fully agree and I think the committee and Congress fully agrees that we want to be very cautious about saying to any particular group "We don't want you," because the fact is, we have to get and keep top quality people in our National Laboratories and plants. We can afford to do nothing to drive them away.

But I think it is important to get back to the principles that are in this resolution, which include individual accountability. That is, if not a group but an individual makes a mistake or worse, then that individual will be held accountable for it.

That is what our national security requires. It requires that we get and keep the best quality people, but once they are there and privy to some of the most sensitive information in the country, that we hold them accountable for how they treat that information. That is the principle I think that General Gordon will move ahead with as he tries to reach that difficult balance of doing the work in these facilities and also balancing the security, and bringing it all together to see that our security is not compromised.

I think that there is a concern that all of us share. We want to get and keep the best quality people, but this resolution does not hinder that. In fact, I would argue that it helps it by moving towards and encouraging individual accountability.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Speaker, I thank the gentleman for yielding.

I had not intended to participate in this discussion, but as a member of the Cox Select Committee, I do have to say that we developed extraordinary evidence in a unanimous report from that committee, a bipartisan committee, that indeed there were grave security losses from and inappropriate security procedures at the Los Alamos Lab.

I would also like to mention that there was no specific reference to Mr. Lee made in that report. An investigation conducted by the Federal Bureau

of Investigation was the way that, I believe, there was the first time his identity was ever mentioned in the media or anyplace else. The Cox Committee made no recommendations.

I do think the people who suggest in some fashion that Congress has been identifying particular ethnic group as responsible for espionage or as security risks, is inappropriate and inaccurate.

Mr. SPENCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MILLER of Florida). The question is on the motion offered by the gentleman from South Carolina (Mr. SPENCE) that the House suspend the rules and agree to the resolution, H. Res. 534.

The question was taken.

Mr. SPENCE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SMALL WATERSHED REHABILITATION AMENDMENTS OF 2000

Mr. LUCAS of Oklahoma. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 728) to amend the Watershed Protection and Flood Prevention Act to authorize the Secretary of Agriculture to provide cost share assistance for the rehabilitation of structural measures constructed as part of water resource projects previously funded by the Secretary under such Act or related laws, as amended.

The Clerk read as follows:

H.R. 728

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Watershed Rehabilitation Amendments of 2000".

TITLE I—DAM REHABILITATION

SEC. 101. REHABILITATION OF WATER RESOURCE STRUCTURAL MEASURES CONSTRUCTED UNDER CERTAIN DEPARTMENT OF AGRICULTURE PROGRAMS.

The Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.) is amended by adding at the end the following new section:

"SEC. 14. REHABILITATION OF STRUCTURAL MEASURES NEAR, AT, OR PAST THEIR EVALUATED LIFE EXPECTANCY.

"(a) DEFINITIONS.—For purposes of this section:

"(1) REHABILITATION.—The term 'rehabilitation', with respect to a structural measure constructed as part of a covered water resource project, means the completion of all work necessary to extend the service life of the structural measure and meet applicable safety and performance standards. This may include (A) protecting the integrity of the structural measure or prolonging the useful life of the structural measure beyond the original evaluated life expectancy, (B) correcting damage to the structural measure from a catastrophic event, (C) correcting the deterioration of structural components that

are deteriorating at an abnormal rate, (D) upgrading the structural measure to meet changed land use conditions in the watershed served by the structural measure or changed safety criteria applicable to the structural measure, or (E) decommissioning the structure, if requested by the local organization.

"(2) COVERED WATER RESOURCE PROJECT.—The term 'covered water resource project' means a work of improvement carried out under any of the following:

"(A) This Act.

"(B) Section 13 of the Act of December 22, 1944 (Public Law 78-534; 58 Stat. 905).

"(C) The pilot watershed program authorized under the heading 'FLOOD PREVENTION' of the Department of Agriculture Appropriation Act, 1954 (Public Law 156; 67 Stat. 214).

"(D) Subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451 et seq.; commonly known as the Resource Conservation and Development Program).

"(3) STRUCTURAL MEASURE.—The term 'structural measure' means a physical improvement that impounds water, commonly known as a dam, which was constructed as part of a covered water resource project, including the impoundment area and flood pool.

"(b) COST SHARE ASSISTANCE FOR REHABILITATION.—

"(1) ASSISTANCE AUTHORIZED.—The Secretary may provide financial assistance to a local organization to cover a portion of the total costs incurred for the rehabilitation of structural measures originally constructed as part of a covered water resource project. The total costs of rehabilitation include the costs associated with all components of the rehabilitation project, including acquisition of land, easements, and rights-of-ways, rehabilitation project administration, the provision of technical assistance, contracting, and construction costs, except that the local organization shall be responsible for securing all land, easements, or rights-of-ways necessary for the project.

"(2) AMOUNT OF ASSISTANCE; LIMITATIONS.—The amount of Federal funds that may be made available under this subsection to a local organization for construction of a particular rehabilitation project shall be equal to 65 percent of the total rehabilitation costs, but not to exceed 100 percent of actual construction costs incurred in the rehabilitation. However, the local organization shall be responsible for the costs of water, mineral, and other resource rights and all Federal, State, and local permits.

"(3) RELATION TO LAND USE AND DEVELOPMENT REGULATIONS.—As a condition on entering into an agreement to provide financial assistance under this subsection, the Secretary, working in concert with the affected unit or units of general purpose local government, may require that proper zoning or other developmental regulations are in place in the watershed in which the structural measures to be rehabilitated under the agreement are located so that—

"(A) the completed rehabilitation project is not quickly rendered inadequate by additional development; and

"(B) society can realize the full benefits of the rehabilitation investment.

"(c) TECHNICAL ASSISTANCE FOR WATERSHED PROJECT REHABILITATION.—The Secretary, acting through the Natural Resources Conservation Service, may provide technical assistance in planning, designing, and implementing rehabilitation projects should a local organization request such assistance. Such assistance may consist of specialists in such fields as engineering, geology, soils, agronomy, biology, hydraulics, hydrology, economics, water quality, and contract administration.

"(d) PROHIBITED USE.—

"(1) PERFORMANCE OF OPERATION AND MAINTENANCE.—Rehabilitation assistance provided under this section may not be used to perform operation and maintenance activities specified in the agreement for the covered water resource project entered into between the Secretary and the local organization responsible for the works of improvement. Such operation and maintenance activities shall remain the responsibility of the local organization, as provided in the project work plan.

"(2) RENEGOTIATION.—Notwithstanding paragraph (1), as part of the provision of financial assistance under subsection (b), the Secretary may renegotiate the original agreement for the covered water resource project entered into between the Secretary and the local organization regarding responsibility for the operation and maintenance of the project when the rehabilitation is finished.

"(e) APPLICATION FOR REHABILITATION ASSISTANCE.—A local organization may apply to the Secretary for technical and financial assistance under this section if the application has also been submitted to and approved by the State agency having supervisory responsibility over the covered water resource project at issue or, if there is no State agency having such responsibility, by the Governor of the State. The Secretary shall request the State dam safety officer (or equivalent State official) to be involved in the application process if State permits or approvals are required. The rehabilitation of structural measures shall meet standards established by the Secretary and address other dam safety issues. At the request of the local organization, personnel of the Natural Resources Conservation Service of the Department of Agriculture may assist in preparing applications for assistance.

"(f) RANKING OF REQUESTS FOR REHABILITATION ASSISTANCE.—The Secretary shall establish such system of approving rehabilitation requests, recognizing that such requests will be received throughout the fiscal year and subject to the availability of funds to carry out this section, as is necessary for proper administration by the Department of Agriculture and equitable for all local organizations. The approval process shall be in writing, and made known to all local organizations and appropriate State agencies.

"(g) PROHIBITION ON CERTAIN REHABILITATION ASSISTANCE.—The Secretary may not approve a rehabilitation request if the need for rehabilitation of the structure is the result of a lack of adequate maintenance by the party responsible for the maintenance.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to provide financial and technical assistance under this section—

"(1) \$5,000,000 for fiscal year 2001;

"(2) \$10,000,000 for fiscal year 2002;

"(3) \$15,000,000 for fiscal year 2003;

"(4) \$25,000,000 for fiscal year 2004; and

"(5) \$35,000,000 for fiscal year 2005.

"(i) ASSESSMENT OF REHABILITATION NEEDS.—The Secretary, in concert with the responsible State agencies, shall conduct an assessment of the rehabilitation needs of covered water resource projects in all States in which such projects are located.

"(j) RECORDKEEPING AND REPORTS.—

"(1) SECRETARY.—The Secretary shall maintain a data base to track the benefits derived from rehabilitation projects supported under this section and the expenditures made under this section. On the basis of such data and the reports submitted under paragraph (2), the Secretary shall prepare and submit to Congress an annual report providing the status of activities conducted under this section.